

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Case No. 08-cr-107-PB

Marcus Cherry

O R D E R

The defendant, through counsel, has moved to continue the trial scheduled for August 18, 2009, citing the need for additional time to complete the court-ordered psychiatric evaluation of defendant and allow time for plea negotiations or trial preparation. The government does not object to a continuance of the trial date.

Accordingly, for the above reasons and to allow the parties additional time to properly prepare for trial, the court will continue the trial from August 18, 2009 to November 3, 2009. In agreeing to continue the trial, the court finds pursuant to 18 U.S.C.A. § 3161(h)(8)(A) that for the above-stated reasons, the ends of justice served in granting a continuance outweigh the best interests of the public and the defendant in a speedy trial.

The court will hold a final pretrial conference on October 23, 2009 at 2:00 p.m.

No further continuances in this matter.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

July 28, 2009

cc: Tony F. Soltani, Esq.
Terry Ollila, AUSA
United States Probation
United States Marshal